

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MICHAEL J. LINDELL and
MYPILLOW, INC.,

Plaintiffs,

v.

UNITED STATES OF AMERICA,
MERRICK GARLAND in his official
capacity as Attorney General of the
United States, the United States Attorney
for the District of Minnesota, and
CHRISTOPHER WRAY in his official
capacity as Director of the Federal Bureau
of Investigation,

Defendants.

Case No. 22-cv-2290-ECT-ECW

NOTICE OF MOTION HEARING

To: Defendants United States of America, Merrick Garland, United States Attorney for the District of Minnesota, and Christopher Wray.

PLEASE TAKE NOTICE that at a date and time to be determined, pursuant to Fed. R. Civ. P. 65 and Fed. R. Crim. P. 41(g), Plaintiffs will move the Court, before the Honorable Eric C. Tostrud, United States District Court Judge, in Courtroom 3B, United States District Courthouse, 316 N. Robert Street, St. Paul, MN 55101, for a Temporary Restraining Order and an Order to Return Property that Defendants (1) return to Mr. Lindell the cell phone seized from Mr. Lindell on September 13, 2022; (2) cease all attempts to access data stored on the cell phone; and (3) refrain from accessing any information already taken from the cell phone. Plaintiffs request that this Motion be

handled by the Court on an expedited basis. Plaintiffs further request that the Court immediately order Defendants to refrain from accessing or taking any action with respect to the seized cell phone until this Motion is heard, to preserve the status quo. This motion is based on all of the files, records, pleadings, declarations, exhibits, arguments of counsel, and proceedings herein.

Dated: September 22, 2022

PARKER DANIELS KIBORT LLC

By /s/ Andrew D. Parker
Andrew D. Parker (MN Bar No. 195042)
888 Colwell Building
123 N. Third Street
Minneapolis, MN 55401
Telephone: (612) 355-4100
Facsimile: (612) 355-4101
parker@parkerdk.com

Counsel for Michael J. Lindell and My Pillow, Inc.

OLSEN LAW, P.C.

By /s/ Kurt Olsen
Kurt Olsen (D.C. Bar No. 445279)*
1250 Connecticut Ave., NW, Suite 700
Washington, DC 20036
Telephone: (202) 408-7025
ko@olsenlawpc.com

**to be admitted pro hac vice*

Counsel for Michael J. Lindell

**MCSWEENEY, CYNKAR &
KACHOUROFF, PLLC**

By /s/ Patrick M. McSweeney
Patrick M. McSweeney*
3358 John Tree Hill Road
Powhatan, VA 23139
Telephone: (804) 937-0895
patrick@mck-lawyers.com

** To be admitted Pro Hac Vice*

Counsel for Michael J. Lindell

ALAN DERSHOWITZ, ESQ.
Alan Dershowitz (MA Bar No. 121200)*
1575 Massachusetts Avenue
Cambridge, MA 02138

** To be admitted Pro Hac Vice*

Of Counsel for Michael J. Lindell